

RESOLUTION NO. 2006-210

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI APPROVING AND FORWARDING TO SAN JOAQUIN LOCAL AREA FORMATION COMMISSION FOR ACTION THE REQUEST OF TOM DOUCETTE, FRONTIER COMMUNITY BUILDERS, FOR AN ANNEXATION OF THE 257.76 PROJECT ACRES, THE CITY-INITIATED ANNEXATION FOR 47.79 CONTIGUOUS ACRES, OUTSIDE OF THE PROJECT AREA, AND THE REQUEST OF TWO PROPERTY OWNERS ON HARNEY LANE TO ANNEX TWO ACRES OF LAND INTO THE CORPORATE LIMITS OF THE CITY OF LODI (SOUTHWEST GATEWAY, OTHER ANNEXATION AREAS, AND 565 AND 603 EAST HARNEY LANE)

WHEREAS, City Council of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested annexation in accordance with the Government Code and Lodi Municipal Code Chapter 17.84; and

WHEREAS, the affected properties are located within the Southwest Gateway project area and other areas to be annexed totaling 305.55 acres and two properties on Harney Lane, which are described as follows:

APN	Site Address	Property Owner
<i>Southwest Gateway Project Area</i>		
058-030-09	252 E. St. Route 12 Highway	Carolyn Reichmuth
058-030-03	14509 North Lower Sacramento Road	Van Ruiten Ranch, LTD
058-030-04	14499 North Lower Sacramento Road	Van Ruiten Ranch, LTD
058-030-05	14433 North Lower Sacramento Road	Van Ruiten Ranch, LTD
058-030-06	14195 North Lower Sacramento Road	Howard Investments, LLC
058-040-01	14101 North Lower Sacramento Road	Schumacher Trust
058-040-02	13837 North Lower Sacramento Road	Schumacher Trust
058-040-04	13537 North Lower Sacramento Road	Schumacher Trust
058-040-05	13589 North Lower Sacramento Road	Schumacher Trust
058-040-14	No site address for	Joey Tamura Trust
058-040-13	641 East Harney Lane	Schumacher Trust
<i>Other Annexation Areas</i>		
058-230-04	13786 North Lower Sacramento Road	Tsugio Kubota
058-140-13	14320 North Lower Sacramento Road	M. Bill Peterson

058-140-12	14500 North Sacramento Road	Lower	M. Bill Peterson
058-140-14	14620 North Sacramento Road	Lower	Ruth Susan Peterson
058-140-04	14752 North Sacramento Road	Lower	Dean and Sharon Frame Trust
058-140-11	777 East Olive Avenue		Zane Grever Trust
058-140-06	800 East Olive Avenue		Vernet and Charlene Herrmann Trust
058-140-07	844 East Olive Avenue		Santiago and Ramona Del Rio
058-140-08	890 East Olive Avenue		Frank Hall
058-140-05	865 East Olive Avenue		Santiago and Ramona Del Rio
058-140-09	908 East Olive Avenue		Santiago and Ramona Del Rio
058-140-10	930 East Olive Avenue		Leticia F. Amigable Et al
<i>Two Parcels on Harney Lane</i>			
058-040-11	565 East Harney Lane		Robert and Letha Pinnell
058-040-12	603 East Harney Lane		Frank Hall

WHEREAS, the applicant, Tom Doucette for Frontiers Community Builders, 10100 Trinity Parkway, Suite 420, Stockton, CA 95219, represents property owners of the parcels within the Southwest Gateway project site and these property owners have provided written consent to the project proponent and applicant for this annexation; and

WHEREAS, the City has initiated annexation of the properties referred to as "Other Annexation Areas" so as not to create a County island; and

WHEREAS, the property owners of 565 and 603 East Harney Lane have submitted applications for annexation of their properties in connection with this annexation application; and

WHEREAS, the City of Lodi Planning Commission held public hearings on the proposed annexation on October 11, 2006 and October 25, 2006, and its motion to recommend approval to the City Council was defeated on a 2 to 5 vote; and

WHEREAS, the Southwest Gateway Development Plan, required by Lodi Municipal Code Chapter 17.33 PD Planned Development District, consists of a master planned residential community consisting of 1,230 residential units, 31 acres of parks and trails, an elementary school, and related infrastructure; and

WHEREAS, the City Council did certify the Environmental Impact Report (EIR) (EIR-05-01) and adopted Findings and a Statement of Overriding Considerations pursuant to California Environmental Quality Act (CEQA); and

WHEREAS, all legal prerequisites to the approval of this request have occurred; and

WHEREAS, based upon the evidence within the staff report and project file the City Council of the City of Lodi makes the following findings:

1. The EIR (EIR-05-01) was certified by City Council Resolution No. 2006-209 and Findings and Statement of Overriding Considerations for the project pursuant to CEQA were adopted by City Council Resolution No. 2006-209.
2. The required public hearing by the Planning Commission was duly advertised and held in a manner prescribed by law.
3. The required public hearing by the City Council was duly advertised and held in a manner prescribed by law.
4. The project site is entirely within the City's Sphere of Influence, and the City's General Plan designates the project area as "PR," Planned Residential. The General Plan anticipated development of the PR designated properties by 2007.
5. It is found that the requested annexation does not conflict with adopted and proposed plans or policies of the General Plan and will serve sound planning practice.
6. It is further found that the parcels in the area proposed to be annexed are physically suitable for the development of the proposed project.
7. The proposed design and improvement of the site is consistent with all applicable standards adopted by the City in that the project, as conditioned, will conform to adopted standards and improvements mandated by the City of Lodi Public Works Department Standards and Specifications, Zoning Ordinance as well as all other applicable standards.
8. The size, shape, and topography of the site are physically suitable for the proposed residential development.
9. The site is suitable for the density proposed by the project in that the density is compliant with the PR General Plan designation and the site can be served by all public utilities and creates design solutions for storm water, traffic, and air quality issues. Potential environmental impacts related to utilities were identified in the EIR and found not be significant because mitigation measures have been incorporated into the project to reduce any impacts to a level of less than significant.
10. Development of the proposed project shall be consistent with the Southwest Gateway land use plan submitted by Tom Doucette, Frontiers Community Builders, 10100 Trinity Parkway, Suite 420, Stockton, CA 95219.

NOW, THEREFORE, BE IT FOUND, DETERMINED, AND RESOLVED that the City Council of the City of Lodi hereby approves and forwards this annexation to the San Joaquin Local Area Formation Commission for action.

Dated: November 15, 2006

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I hereby certify that Resolution No. 2006-210 was passed and adopted by the Lodi City Council in a regular meeting held November 15, 2006, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hansen, Johnson, and Mounce

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – Mayor Hitchcock

A handwritten signature in black ink, appearing to read 'RJ' with a stylized flourish extending to the right.

RANDI JOHL
City Clerk

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